

**GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT**

The A.P. Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 (Act No.1 of 1986) – Order of detention made by the Collector and District Magistrate, YSR District, Kadapa against **Sri Machupalli Ramanaiah @ Pottabbi, S/o. Machupalli Venkataiah, aged 35 years, R/o.Jandlavaram (V), Mydukur (M), YSR District** - Case referred to Advisory Board- Confirmation – Orders – Issued.

**GENERAL ADMINISTRATION (LAW & ORDER.II) DEPARTMENT**

**G.O.Rt.No. 3819**

**Dated:26.08.2013**

**Read the following:-**

1. Order of Detention in Proceedings No.Lr.Ref.No.C1/526/M/2013,dt:11.07.2013 of the Collector & District Magistrate, YSR District, Kadapa
2. G.O. Rt. No.3255, G.A. (L&O.II) Dept., dated:22.07.2013.
3. From the Advisory Board, Report, dated 19.08.2013.

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**ORDER:**

WHEREAS the Collector and District Magistrate, YSR District, Kadapa, made an order of detention vide reference first read above under section 3(1) & (2) r/w sec. 2(a) & (g) of the Andhra Pradesh Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 (Act No.1 of 1986) in respect of **Sri Machupalli Ramanaiah @ Pottabbi, S/o. Machupalli Venkataiah, aged 35 years, R/o.Jandlavaram (V), Mydukur (M), YSR District**, for repeatedly indulging himself in the alleged activities of illicit felling of red sander trees and smuggling the timber to unknown places in India and abroad apart from Bangalore, Chennai and other places, causing wilful destruction of pristine Red Sanders and damage to the property in contravention of Forest Laws, Indian Penal Code and with a view to prevent him from further indulging in the above said illegal activities, which are prejudicial to the maintenance of public order and dangerous to forest wealth.

2. AND WHEREAS the Government have accorded approval of the said detention order under sub-section (3) of Section-3 of the Act, vide Government order second read above, and referred the matter to the Advisory Board on Preventive Detentions.

3. AND WHEREAS the Advisory Board constituted under section-9 of the said Act, comprising of Justice Sri T.L.N. Reddy (Retired), Chairman and two other Members, reviewed the case on 19.08.2013 and after having heard the detenu, who has been produced before them and the Investigating Officers and after perusing the connected records, reported, vide reference third read above, that in its opinion “there is sufficient cause for the detention of the detenu, **Sri Machupalli Ramanaiah @ Pottabbi, S/o. Machupalli Venkataiah, aged 35 years, R/o.Jandlavaram (V), Mydukur (M), YSR District**”.

4. Government after careful examination of the entire record, observe that the detenu, **Sri Machupalli Ramanaiah @ Pottabbi**, is found to have been involved himself in as many as in 5 (five) cases repeatedly in quick succession on 30.12.2012, 23.04.2013, 09.05.2013, 30.06.2013 & 02.07.2013. The details shows that he is a habitual offender. He is indulging in illegal activities of felling red sander trees and smuggling the timber to unknown places in India and abroad. The said activities are dangerous to forest wealth and prejudicial to maintenance of public order apart from disturbing the peace, tranquility, social harmony / order in the society and he became a source of potential danger to the public. The said offences are registered under various provisions of the Forest Laws as well as sec. 379 of Indian Penal Code. The said offences are punishable under Forest Act, 1967 and the rules made there under, as well as Chapter XVII of IPC. As such the activities of the individual falls under and within the meaning of ‘Goonda’ as defined under sec. 2(g) of Act 1 of 1986. All the incidents mentioned in the grounds of detention clearly substantiate as to how the acts of the detenu are prejudicial to the maintenance of public order. In catena of decisions, the Hon’ble Courts held that ‘any acts of attempt or illegal cutting of the red sander trees and smuggling the timber, would certainly have its impact on the public order’. The detaining authority having taken into account and consideration of indulgence of the

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detenu in the above said activities repeatedly at regular intervals and having satisfied that the penal laws have failed to curb his illegal activities, has passed the detention order against the detenu by invoking the provisions under the Act 1 of 1986, in order to prevent him from indulging further in such activities, which are prejudicial to maintenance of public order and dangerous to forest wealth. The Advisory Board after review of the case, has opined that there is sufficient cause for the detention of the Detenu. As such, the detenu deserves the maximum period of detention, as provided under sec.13 of the Act.

5. NOW, THEREFORE, after due consideration of the report of the Advisory Board and the material available on record, the Government, in exercise of the powers conferred under sub-section (1) of Section-12 read with Section-13 of the said Act, hereby confirm the Order of detention first read above, made by the Collector & District Magistrate, YSR District, Kadapa, as approved in the G.O. 2<sup>nd</sup> read above, and direct that the detention of **Sri Machupalli Ramanaiah @ Pottabbi, S/o. Machupalli Venkataiah, aged 35 years, R/o.Jandlavaram (V), Mydukur (M), YSR District**, be continued for a period of 12 months from the date of his detention, i.e. 20.07.2013.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**DR.P.K.MOHANTY**  
**CHIEF SECRETARY TO GOVERNMENT**

To

Sri Machupalli Ramanaiah @ Pottabbi, aged 35 years, S/o. Machupalli Venkataiah, R/o.Jandlavaram (V), Mydukur (M), YSR District **through the Superintendent, Central Prison, Cherlapalli, R.R. District.**

The Superintendent, Central Prison, Cherlapalli, R.R. District. (He should serve the Order on the detenu immediately under proper dated acknowledgment and arrange to read over and explain the contents of the same in the language known to the detenu and report compliance to the Government forthwith)

The Collector & District Magistrate, YSR District, Kadapa.

The Divisional Forest Officer, Kadapa, YSR District.

The Prl. Chief Conservator of Forests, A.P., Hyderabad.

Copy to:

The Director General of Police, A.P., Hyderabad.

The Director General and Inspector General of Prisons and Correctional Services, A.P., Hyderabad.

The Addl. Director General of Police (Intelligence), A.P., Hyderabad.

SF/SC.

**//FORWARDED::BY ORDER//**

**SECTION OFFICER (SC)**